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PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **HS 102 DIV**  
First Inventor or Application Identifier **Gary A. Bannon**  
Title **METHODS AND REAGENTS FOR DECREASING  
CLINICAL REACTION TO ALLERGY**  
Express Mail Label No. **EL320554231US**

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **35**]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **3**]
4. Oath or Declaration [Total Pages **5**]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☒ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☒ \* Small Entity Statement(s) ☒ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☒ Other: Check for \$407.00

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 141,220  
Prior application information: Examiner Nolan, P. Group / Art Unit: 1644

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

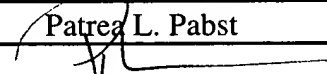
## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Patrea L. Pabst, Esq.				
	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center				
	1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3450
Country	United States	Telephone	(404) 873-8794	Fax	(404) 873-9795

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature		Date	6/20/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 1999

*Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.*

**TOTAL AMOUNT OF PAYMENT** (\$ ) 372.00

## Complete if Known

Application Number	Divisional of 09/141,220
Filing Date	January 6, 2000
First Named Inventor	Gary A. Bannon
Examiner Name	
Group / Art Unit	
Attorney Docket No.	HS 102 DIV

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 01-2507  
Deposit Account Name Amall Golden & Gregory, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:  
☒ Check    ☐ Money Order    ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 760	201 380	Utility filing fee	345.00
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 760	208 380	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1)** (\$ ) 345.00

#### 2. EXTRA CLAIM FEES

Total Claims	23	Extra Claims	-20 = 3	Fee from below	9.00	Fee Paid	27.00
Independent Claims			-3 =				
Multiple Dependent							

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 27.00

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 760	246 380	Filing a submission after final rejection (37 CFR 1.129(a))	
149 760	249 380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

\*\*Represents the difference between the fee for a ☐ month extension of time and a ☐ month extension of time.

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ )

### SUBMITTED BY

Typed or Printed Name Patrea L. Pabst  
Signature

Date 1/6/00

### Complete (if applicable)

Reg. Number 31,284  
Deposit Account User ID 01-2507

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Serial No.: Divisional of U.S.S.N. 09/141,220

Express Mail Label

No.: EL320554231US

Date of Deposit: January 6, 2000

Filed: January 6, 2000

For: *METHODS AND REAGENTS FOR DECREASING CLINICAL  
REACTION TO ALLERGY*

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

Pursuant to 35 U.S.C. § 21(a), as amended by Public Law 97-247, and 37 C.F.R. §§ 1.10 and 1.53(b), Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin enclose for filing the attached new divisional patent application entitled "*Methods and Reagents for Decreasing Clinical Reaction to Allergy*". The application includes a copy of prior application U.S.S.N. 09/141,220, including 1 page of abstract, 29 pages of specification, and 5 pages of claims. This application is a divisional of pending prior application Serial No. 09/141,220, filed August 27, 1998, entitled "*Methods and Reagents for Decreasing Clinical Reaction to Allergy*", by Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin.

Divisional of U.S.S.N. 09/141,220  
"Methods and Reagents for Decreasing Clinical Reaction to Allergy"  
By: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL320554231US  
Date of Deposit: January 6, 2000

Pursuant to 37.C.F.R. § 1.63(d), the copy of the executed Declaration included in the new application is a copy of the executed Substitute Declaration filed September 2, 1999, in parent application Serial No. 09/141,220, to which the new application claims benefit.

Please preliminarily amend the application in accordance with the enclosed Preliminary Amendment. An Information Disclosure Statement is also enclosed.

Enclosed from prior application U.S.S.N. 09/141,220 are three sheets of formal drawings; copies of (1) Statement Claiming Small Entity Status by assignee University of Arkansas; (2) Statement Under 37 C.F.R. § 3.73(b) by assignee University of Arkansas; (3) Assignment from A. Wesley Burks, Jr. and Gary A. Bannon to University of Arkansas, recorded at Reel 010065, Frame 0008; (4) Statement Claiming Small Entity Status by assignee Mt. Sinai School of Medicine of the City University of New York; (5) Statement Under 37 C.F.R. § 3.73(b) by assignee Mt. Sinai School of Medicine of the City University of New York; (6) Assignment from Hugh A. Sampson to Mt. Sinai School of Medicine of the City University of New York, recorded at Reel 009539, Frame 0550; (7) Statement Claiming Small Entity Status by assignee Panacea Pharmaceuticals, LLC; (8) Statement Under 37 C.F.R. § 3.73(b) by assignee Panacea Pharmaceuticals, LLC.; and (9) Assignment from Howard Sosin to Panacea Pharmaceuticals, Inc., recorded at Reel 010190, Frame 0516.

A check in the amount of \$407.00 to cover the \$345.00 filing fee for a small entity and the \$27.00 fee for three claims in excess of twenty total claims is enclosed. The Commissioner is authorized to credit Deposit Account No. 01-2507 in the amount of \$35.00, which represents

Divisional of U.S.S.N. 09/141,220  
"Methods and Reagents for Decreasing Clinical Reaction to Allergy"  
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**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
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the difference between the small entity filing fee effective prior to December 29, 1999, and the current fee. It is believed that this is the proper filing fee since the application includes 3 independent claims and a total of 23 claims after entry of the Preliminary Amendment. This application is entitled to small entity status as copies of the executed Statements Claiming Small Entity Status by each of the three assignees filed in prior application 09/141,220 are enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

The power of attorney in the prior application is to Patrea L. Pabst.

The inventorship for the claims in the new application is the same as in parent application Serial No. 09/141,220.

This application contains nucleic acid and/or protein sequences as defined in 37 C.F.R. § 1.821-1.825. The sequence listing for the new application is identical to the sequence listing for application Serial No. 09/141,220, filed August 27, 1998, by Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin. Sequence listings in computer readable form were submitted in Application Serial No. 09/141/220 on August 27, 1998, and again on December 10, 1999 in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures. Accordingly, pursuant to 37 C.F.R. § 1.821(e), applicants hereby request that the computer readable form of the sequence listing submitted in application Serial No. 09/141/220 on

Divisional of U.S.S.N. 09/141,220  
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**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL320554231US  
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December 10, 1999, be used as the computer readable form of the sequence listing for the new application. The application has a paper copy of the Sequence Listing incorporated therein.

I declare that the material in the prior sequence listing is identical to the paper copy of the Sequence Listing present in the new application, that the Sequence Listing does not add new matter to the application, and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

This application is being filed on January 6, 2000, by mailing the application to the Assistant Commissioner of Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10. The Express Mail Label Number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3450

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the

Divisional of U.S.S.N. 09/141,220

*"Methods and Reagents for Decreasing Clinical Reaction to Allergy"*

By: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Express Mail Label No.: EL320554231US

Date of Deposit: January 6, 2000

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Patrea L. Pabst

Reg. No. 31,284

Date: January 6, 2000

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